

REMARKS/ARGUMENTS

This communication is responsive to Office Action of August 2, 2004 in which the following objections were raised: [1-9] Claims 1-10 were rejected under 35 U.S.C. 102(e) as being unpatentable by Knight et al (U.S. 6,289,375).

Applicant has amended Claims 1--9 and canceled Claim 10.

Applicant appreciates the telephonic conference with the Examiner on February 1 2005 in which the Knight reference and Claim 1 were discussed.

1-9. CLAIMS 1-10 REJECTED UNDER 35 U.S.C. 102(e):

Claims 1-10 were rejected under 35 U.S.C. 102(e) as being unpatentable by Knight et al (U.S. 6,289,375).

Each of the Applicant's amended Independent Claims 1, 5 to , 6, and 9 is directed to novel elements of or methods performed on an optical storage server for improving read and/or write access times to data stored on the optical storage media. All amendments are fully supported throughout the Applicant's specification including: "*The present invention provides a network enabled multi-user configurable optical storage server.... The server may support from one to hundreds of CD/DVD-ROMS.*" (Applicant's specification at page 2 , lines 20-29). "*In an embodiment... the server includes two stages of writing prior to committing to a write to the physical medium. This speeds both read and write access to the disk, allows concurrent user access to the disk, and greatly simplifies the mapping and file structures on the disk. In an alternate embodiment of the invention the server includes a hard drive for configurable caching of selected ones of the optical storage media.*" (Applicant's specification at page 6 , lines 1-6). See also (FIGS. 1-7 and accompanying text).

The Knight reference by contrast has nothing to do with an optical storage server. The Knight reference discloses a storage area network management software with a central manager and one or more agents reporting network topology and events to the central manager. *“The distributed storage management program comprises a central manager portion and a separate agent in each of the host computer systems. The agents gather data and communicate with the manager across the information processing network, The manager collates the data from different agents to produce a coherent view of the network., requests are generally for information concerning storage networks attached to a local host computer system. Each local agent independently collects data from the storage network(s) attached to the respective host in which the agent is located. Thus the view of the network obtained by any particular local agent is the view of its host. The agent operates as a server, responding to data requests from the central manager. The local agent... actively builds an internal topological view of the network as seen by its host and collects data such as error events. for use in responding to a variety of information requests from the central manager. The local agent also includes unknown device resolution capability to resolve the identities of certain devices connected to the network by analyzing information received from multiple controllers.”* (Knight et. al reference at col. 3, lines 29-51, Emphasis added). *“The [central] manager supports various functions, which can generally be divided into two groups: the planning functions and the monitoring functions. The planning functions enable a user to plan storage network configurations. The monitoring functions (also known as "live mode") automatically discover existing storage network configurations, display these configurations to the user, report events, device characteristics, etc., and perform diagnostics.”* (Knight et. al reference at col. 10, lines 1-8, Emphasis added). *“The management program has the capability to automatically determine the configuration of storage networks in the management set.”* (Knight et. al reference at col. 30, lines 41-44, Emphasis added).

The Applicant therefore respectfully submits, for the reasons presented above, that the cited reference discloses none of the limitations found in any of the Applicant's amended Independent Claims and therefore does not anticipate same. The Applicant also respectfully submits that the remaining claims, dependent on corresponding ones of either Independent Claims 1 or 6 are also not anticipated by the Knight et. al reference for the reasons discussed above and for other reasons of independent significance.

The Applicant therefore respectfully requests that the rejection of remaining amended Claims 1-9 be withdrawn.

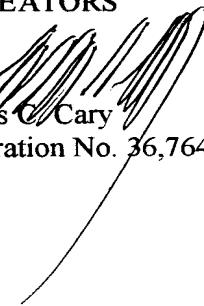
CONCLUSION

In view of the above remarks, and the amendments to the Claims, Applicant respectfully submits that all remaining Claims 1-9 have been placed in a condition for allowance, and requests that they be allowed. Early notice to this effect is solicited.

The Commissioner is authorized to charge any additional fees which may be required, including petition fees and extension of time fees, to Deposit Account No. 50-1338 (Docket No. AXISP001).

Respectfully submitted,

IP CREATORS


Charles C. Cary
Registration No. 36,764

Date: February 2, 2005

P.O. Box 2789
Cupertino, CA 95015
Tel: (408) 850-9585
Fax: (408) 850-9585
E-mail: cccary@ipcreators.com